

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB 02-0820-1052

ELECTIONS: UNIT DD-30 (herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on July 11, 2003 which was recorded at Deed Book 573, Page 289 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on July 14, 2003, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit DD-30;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2, above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust PA1328,123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

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Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are

granted and IT IS SO ORDERED. Effective Date: This Order shall be effective on the date of its execution. DONE AND EXECUTED this 4th day of Library, 2004, by a majority of the Virginia Gas and Oil Board. STATE OF VIRGINIA COUNTY OF WISE LAShing An the day of Felinan 42004, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so. My commission expires: 9/30/05 DONE AND PERFORMED THIS 92 day of February, 2004, by Order of the Board. Principal Executive to the Board STATE OF VIRGINIA **COUNTY OF WASHINGTON** Acknowledged on this 9 day of Felix way, 2004, personally before me a notary public in and for the Commonwealth of Virginia, appeared B.R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.

Orden Recorded Made Inder Code of Virg Ming Mast Rep. 45.1-361.26

My commission expires: 9/30/05

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit DD-30 VGOB 02-0820-1052 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager – Environmental / Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on May 12, 2003, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on July 14, 2003;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of July 11, 2003;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

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That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

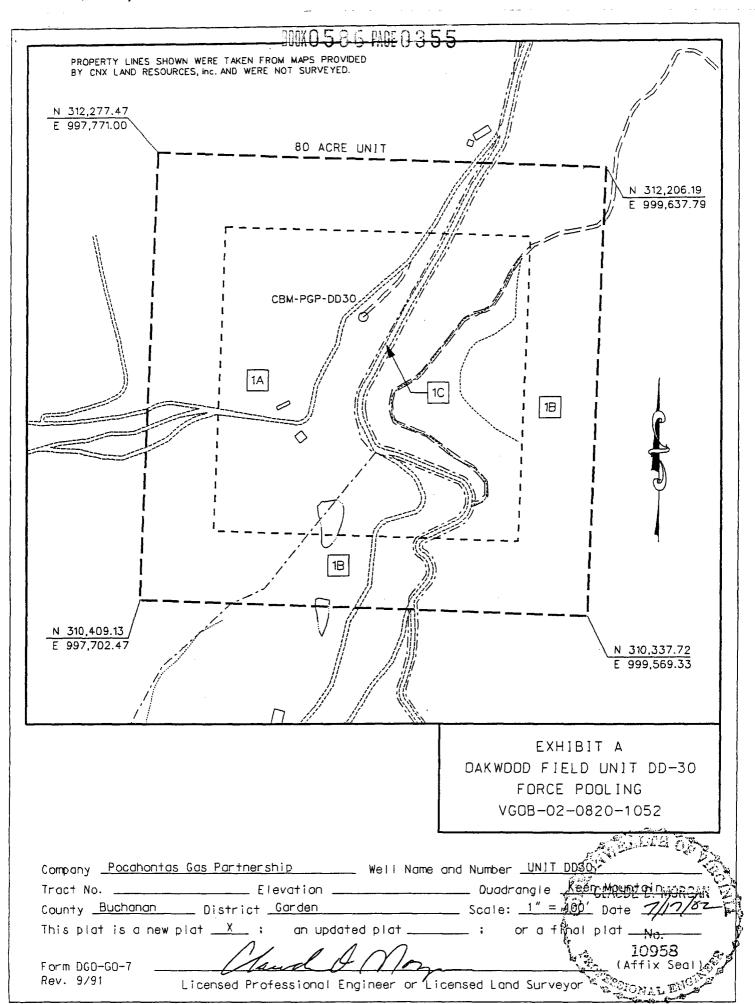
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 30 day of January , 2004.	
Sedie V. Grington	
Leslie K. Arrington	

Rhonda L. Centur for

My commission expires: 10/31/05.



POCAHOINTAS GAS PARTNERSHIP

Unit DD-30 Tract Identifications

- 1A. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1- Coal Reserve Coal Properties Company Below Drainage Coal Leased Sandy Ridge Energy Corp. Above Drainage Coal Leased Pocahontas Gas Partnership CBM Leased Pocahontas Gas Partnership Surface and Gas (12.5%) Green J. Sisk, Heirs Surface and Gas (87.5%) Pocahontas Gas Partnership Gas and CBM Leased (87.5%) 40.41 acres 50.5125%
- 1B. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1- Coal Reserve Coal Properties Company Below Drainage Coal Leased Sandy Ridge Energy Corp. Above Drainage Coal Leased Pocahontas Gas Partnership CBM Leased New Garden Coal Corp. Surface and Gas Pocahontas Gas Partnership Gas and CBM Leased 37.33 acres 46.6625%
- 1C. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1- Coal Reserve Coal Properties Company Below Drainage Coal Leased Sandy Ridge Energy Corp. Above Drainage Coal Leased Pocahontas Gas Partnership CBM Leased Commonwealth of Virginia Surface, Oil and Gas 2.26 acres 2.8250%

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Exhibit B-3 Unit DD-30 Docket #VGOB 02-0820-1052 List of Unleased Owners/Claimants

-			Net Acres in Unit	Interest in Unit
H.	OIL 8	GAS FEE OWNERSHIP		
	Iract	#1C - 2,26 acres		
	(1)	Commonwealth of Virginia Dept. of Transportation P.O. Box 1768 Briefel VA 24203	2.26 acres	2.825%

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Docket #VGOB 02-0820-1052 List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
<u>t #1A - 40.41 acres</u>		
COAL FEE OWNERSHIP		
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	40.41 acres	50.51259
OIL & GAS FEE OWNERSHIP		
G. J. Sisk Heirs, Devisees, Successors or Assigns, et al.	40.41 acres	50.5125%
(2) J.H. Sisk Heirs, Devisees, Successors or Assigns		
(c) Pearlie & John Rose Heirs, Devisees, Successors or Assigns		
(c.3) Georgia Bann Heirs, Devisees, Successors or Assigns		
(c.3.1) Sheila Janowski 13208 28 Mile Road Washington, MI 48094	0.080 1/504 of 40.41 acres	0.10029
(g) Charlie Sisk Heirs, Devisees, Successors or Assigns		
(g.1) Janie Sisk, widow 189 8th Street NW Barberton, OH 44203	0.481 1/84 of 40.41 acres	0.60139
(g.2) Linda & Billy Joe Hale 189 8th Street NW Barberton, OH 44203	0.160 1/252 of 40.41 acres	0.2004%
(g.3) Brenda Sisk P.O. Box 1755 Grundy, VA 24614	0.160 1/252 of 40.41 acres	0.2004%
(g.4) Jennifer & Lovelle Friend 189 8th Street NW Barberton, OH 44203	0.160 1/252 of 40.41 acres	0.2004%
(g.5) Charlene Thompson 189 8th Street NW Barberton, OH 44203	0.160 1/252 of 40.41 acres	0.2004%
(g.6) Keith & Yvonne Sisk 189 8th Street NW Barberton, OH 44203	0.160 1/252 of 40.41 acres	0.2004%
(g.7) Charles Kim Sisk 189 8th Street NW Barberton, OH 44203	0.160 1/252 of 40.41 acres	0.2004%

Docket #VGOB 02-0820-1052 List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
(i) James Rose Heirs, Devisees, Successors or Assigns	1	
Successors of Assigns		
(i.2) Richard Rose	0.180	0.2255%
Box 568 Keen Mountain, VA 246	1/224 of 40.41 acres	
Reen Wountain, VA 240	324	
(i.3) Tessie Rose	0.180	0.2255%
Box 568	1/224 of 40.41 acres	
Keen Mountain, VA 246	524	
Tract #1C - 2.26 acres		
COAL FEE OWNERSHIP		
(1) Coal Mountain Mining Compa	iny, Tr.1 2.26 acres	2.8250%
Limited Partnership, L.L.P.		
P.O. Box 675		
Tazewell, VA 24651		
OIL & GAS FEE OWNERSHIP		
(1) Commonwealth of Virginia	2.26 acres	2.8250%
Dept. of Transportation		2.0200,0
P.O. Box 1768		
Bristol, VA 24203		

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List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit
ct #1A - 40.41 acres		
COAL FEE OWNERSHIP		
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership, L.L.P. P.O. Box 675 Tazewell, VA 24651	40.41 acres	50.5125%
OIL & GAS FEE OWNERSHIP		
G. J. Sisk Heirs, Devisees, Successors or Assigns, et al.	40.41 acres	50.5125%
(1) Ernest Keen Heirs, Devisees, Successors or Assigns		
(a) Paul Keene Rt.1 Box 52 Raven, VA 24639	3.368 1/12 of 40.41 acres	4.2094%
(b) Ralph & Grace Ann Keen Rt.1 Box 52 Raven, VA 24639	3.368 1/12 of 40.41 acres	4.20949
(c) Anna Ruth & J.C. Lambert Rt.1 Box 52 Raven, VA 24639	3.368 1/12 of 40.41 acres	4.20949
(d) Ann McCowan Rt.1 Box 52 Raven, VA 24639	3.368 1/12 of 40.41 acres	4.20949
(e) Arnold J. & Wilda Ann Keene Rt.2 Box 91 Cedar Bluff, VA 24609	3,368 1/12 of 40.41 acres	4.2094
(f) Ruby Lee Hale Heirs, Devisees, Successors or Assigns		
(f.1) Billy Ray Hale P.O. Box 311 Honaker, VA 24260	0.842 1/48 of 40.41 acres	1.0523
(f.2) Linda K. Matney Rt.3 Box 2310 Cedar Bluff, VA 24609	0.842 1/48 of 40.41 acres	1.0523
(f.3) Brenda Weddle 3733 Henricks Hill Drive Smyrna, TN 37167-6185	0.842 1/48 of 40.41 acres	1.0523
(f.4) Carl Lee Hale Rt.2 Box 330 Pounding Mill, VA 24637	0.842 1/48 of 40.41 acres	1.0523
(2) J.H. Sisk Heirs, Devisees,		

Successors or Assigns

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List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit
(a) Maria Sisk Rt.1 Box 31A Raven, VA 24639	1.443 1/28 of 40.41 acres	1.8040%
(b) Ocie & Ted P. Davis Rt. 1 Box 31A Raven, VA 24639	1.443 1/28 of 40.41 acres	1.8040%
(c) Pearlie & John Rose Heirs, Devisees, Successors or Assigns		
(c.1) Earl Shortt Heirs, Devisees, Successors or Assigns		
(c.1.2) Louisa Shortt, widow 391 Whealton Road Hampton, VA 23666	0.080 1/504 of 40.41 acres	0.1002%
(c.1.3) David E. Shortt 110 Daphne Drive Grafton, VA 23692	0.080 1/504 of 40.41 acres	0.1002%
(c.2) Rondal Rose Heirs, Devisees, Successors or Assigns		
(c.2.1) Helen Rose, widow P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.2) Larry Junior Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.3) Lacy Dwayne Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.4) Eva Loretta Hubbard P.O Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.5) Terry Lee Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.6) Earnest Brady Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.7) Rondal Damon Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.2.8) Julie Lenora Ann Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%

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List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit
(c.2.9) Shawn Kelly Rose P.O. Box 242 Doran, VA 24612	0.018 1/2268 of 40.41 acres	0.0223%
(c.3) Georgia Bann Heirs, Devisees, Successors or Assigns		
(c.3.2) Diana Shepard 3346 Thistledowne Drive, NE Grand Rapid, MI 49505	0.080 1/504 of 40.41 acres	0.1002%
(c.4) Orthie Burke Heirs, Devisees, Successors or Assigns		
(c.4.1) Elmer Burke Rt.1 Box 207 Raven, VA 24639	0.040 1/1008 of 40.41 acres	0.0501%
(c.4.2) James H. Burke P.O. Box 880 Raven, VA 24639	0.040 1/1008 of 40.41 acres	0.0501%
(c.4.3) Inis Mae Short P.O. Box 438 Cedar Bluff, VA 24609	0.040 1/1008 of 40.41 acres	0.0501%
(c.4.4) Anita Rose Cantrell P.O. Box 292 Bluefield, VA 24605	0.040 1/1008 of 40.41 acres	0.0501%
(c.5) Jennings Rose Heirs, Devisees, Successors or Assigns		
(c.5.1) Jerry W. Rose P.O. Box 567 Pounding Mill, VA 24637	0.160 1/252 of 40.41 acres	0.2004%
(c.6) Charlie Buford Rose 2080 Cambrian Drive Flint, MI 48504	0.160 1/252 of 40.41 acres	0.2004%
(c.7) Robert W. Rose 1008 Short Road Raven, VA 24639	0.160 1/252 of 40.41 acres	0.2004%
(c.8) Frances A. Webb HC63 Box 217 Jewell Ridge, VA 24622	0.160 1/252 of 40.41 acres	0.2004%
(c.9) Howard O. Rose 43 S. Farmer Street Richlands, VA 24641	0.160 1/252 of 40.41 acres	0.2004%
(d) James Parrot Sisk Rt.1 Box 39 Raven, VA 24639	1,443 1/28 of 40.41 acres	1.8040%

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List of Conflicting Owners/Claimants with Royalty Split Agreements

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Successors or Assigns

Docket #VGOB 02-0820-1052

List of Conflicting Owners/Claimants	with Royalty Split Agreements
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/ke)	
5.051 1/8 of 40.41 acres	6.3141%
37.33 acres	46.6625%
37.33 acres	46.6625%
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Order Received from Operator 2/2/4
Order Received from BSG
Check Ordered 2/4
Check Received
Order Ready for Recording 2/4
Order Recorded
Order Returned From Clerk's Office
Order Mailed to Operator 2/4/1

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